

**CONDITIONS OF APPROVAL – EXHIBIT D
FOR TENTATIVE PARCEL MAP
CO13-0092 / PORTWOOD**

Approved Project

1. This approval authorizes a Tentative Parcel Map (CO13-0092) and Development Plan/Coastal Development Permit to allow a two-story mixed-use development consisting of two (2) airspace condominium units to include:
 - a. 4,841 square feet of commercial space on the first floor (street level).
 - b. 4,105 square feet of residential space on the second floor.
 - c. 1,358 square feet of second-story deck space attached to the second floor residential unit.
 - d. 1,973 square foot rooftop deck accessible only by the residential unit.
 - e. Approximately 900 square feet of roof mounted solar panels.
 - f. 4,573 square foot below ground level parking and storage for primary use of the residence.
 - g. Maximum height is 25 feet above the sidewalk of the main street frontage (Front Street; measured from the back of sidewalk.)

Access and Improvements

2. **At the time of application for construction permits**, public improvement plans shall be prepared in compliance with Section 22.54.03006 (Curbs, Gutters and Sidewalks) of the Land Use Ordinance and San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works. The plan/s is/are to include, as applicable:
 - a. Street plan and profile to reconstruct, if necessary, all deteriorated or non-compliant curb, gutter, sidewalk and driveway property and/or access frontage improvements in accordance with County Public Improvement Standards.
 - b. Pedestrian easements as necessary to contain all sidewalk, driveway and curb ramp improvements that extend beyond the existing right-of-way. Offers are to be recorded by separate document with the County Clerk upon review and approval by Public Works.
 - c. Public utility plan, showing all existing utilities and installation of all new utilities to serve the site.

Shared access and maintenance agreement

3. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Planning and Building of a shared access and maintenance agreement for the driveway and parking areas. The agreement shall be required to establish an organized and perpetual mechanism to ensure adequate maintenance of all shared access roads, parking spaces landscaping, lighting, drainage and other amenities, acceptable to the Department of Planning and Building.

ATTACHMENT 4

4. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map and improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
5. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite access road horizontal and vertical alignment and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
6. **Prior to occupancy or final inspection**, a Registered Civil Engineer must certify to the Department of Public Works that the road improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
7. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.
8. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
9. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.

Utilities

10. Electric and telephone lines shall be installed underground.
11. Cable T.V. conduits shall be installed in the street.
12. Gas lines shall be installed.

Vector Control and Solid Waste

13. **Prior to Recordation** a determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Coastal Zone Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall

ATTACHMENT 4

include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Safety

14. **Prior to map recordation**, the applicant shall satisfy the applicable requirements of the fire safety plan approved and issued by Cal Fire on March 5, 2015.

Parks and Recreation (Quimby Fees)

15. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code Section 66477, **prior to filing of the final parcel or tract map** the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Inclusionary Housing Fee

16. **Prior to filing the map (if not previously paid with the building permit)**, the applicant shall pay the housing impact fee (inclusionary housing) as required by Section 23.04.096, or may defer fee payment pursuant to Section 23.04.096(j)(4). As an alternative the applicant may provide housing units or a land donation, pursuant to Section 23.04.096(f)(3)(iii).

Covenants, Conditions and Restrictions

17. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall establish a home owners association (or otherwise satisfy the requirements of California Civil Code Section 4157) and provide at a minimum the following provisions:
 - a. A site plan showing the common use areas.
 - b. Maintenance of common areas.
 - c. Maintenance of all driveways.

Miscellaneous

18. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
19. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary **prior to filing the map**.
20. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et seq.